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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,418	09/25/2003	Jaroslav Sranka	150-129	5062
7590	04/19/2006		EXAMINER	
Steven S. Payne 8027 ILIFF Drive Dunn Loring, VA 22027			MILLS, DANIEL J	
			ART UNIT	PAPER NUMBER
			3679	
DATE MAILED: 04/19/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/669,418

Applicant(s)

SRANKA

Examiner

Daniel J. Mills

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Objections

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," "the invention discloses," etc. "The invention discloses" line 1; "Means" lines 2-4 must be deleted.

Drawings

The drawings are objected to because of improper crosshatching (at least 6); some items that should be crosshatched are not (at least 3, 8, 9, 10); It is not clear where the cross-section is taken, this must be indicated, it is unclear what 10 is showing; the entirety of Figure 1 is unclear as to what is represented in cross-section and what is not. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and

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appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 22, 25, 27, 31 are objected to because of the following informalities: "members" (claim 22 line 4, claim 25 line 2, claim 27 line 2, claim 31 line 2) should be changed to --rotatable members--.

Claims 23-26 are objected to because of the following informalities: "hoses" (claim 23 line 2, claim 24 line 1, claim 25 line 2, claim 26 line 2). Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Bennett (US 2,641,629).

Regarding claim 22, Bennett discloses a swivel comprising, two coaxial, mutually rotatable members (22, 23) and having a plurality of means (19) for transferring operating and/or controlling media between the members, wherein said means are flexible hoses or cables between the members.

Regarding claim 23, Bennett discloses a swivel wherein the hoses or cables are elastically extensible (inherent to flexible wires).

Regarding claim 24, Bennett discloses a swivel wherein hoses or cables are spiral hoses or cables.

Regarding claim 25, Bennett discloses a swivel wherein the hoses or cables are connected to the members by means of quick-couplings (easily operable holes 24)

Regarding claim 26, Bennett discloses a swivel wherein a cylindrical housing for enclosing the hoses or cables between the two members is provided.

Regarding claim 27, Bennett discloses a swivel wherein one of the members is a lower connection ring (23) and the other member is a cover (22), the cover being connected to a central shaft (4), in relation to which the lower connection ring is journalled.

Regarding claim 28, Bennett discloses a swivel wherein the cover is connected to the central shaft by means of a quick-coupling (the element fixing 22 to the shaft as shown in Figure 3).

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Regarding claim 29, Bennett discloses a swivel wherein the lower connection ring and the cover are each provided with a plurality of through connection holes

Regarding claim 30, Bennett discloses a swivel wherein the central shaft is arranged on a base plate (the end surface of 22).

Regarding claim 31, Bennett discloses a swivel wherein the mutual rotation between the two members is limited to no more than one full revolution.

Regarding claim 32, Bennett discloses a swivel wherein said flexible hoses or cables are connected generally axially to the central shaft when the rotatable members are in a non-rotated position.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-24, 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtot (US 3,026,129) in view of Zeigler (US 6,094,922).

Regarding claim 22, Courtot discloses a swivel comprising, two coaxial, mutually rotatable members (5, 10) and having means (8) for transferring operating and/or controlling media between the members, wherein said means are flexible hoses or cables between the members.

Courtot fails to disclose a plurality of means for transferring media.

Ziegler teaches the use of a plurality of means (22, 24) for transferring media within a flexible hose (32) for the purpose of thermally isolating the media flowing within the means from the ambient environment. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the arrangement of Courtot to use a plurality of means (22, 24) for transferring media within a flexible hose (32) as taught by Ziegler, for the purpose of thermally isolating the media flowing within the means from the ambient environment

Regarding claim 23, Courtot in view of Ziegler results in a swivel wherein the hoses or cables (8) are elastically extensible.

Regarding claim 24, Courtot in view of Ziegler results in a swivel wherein hoses or cables (8) are spiral hoses or cables.

Regarding claim 26, Courtot in view of Ziegler results in a swivel wherein a cylindrical housing (formed by the union of the cylindrical sidewalls of 5 and 10) for enclosing the hoses or cables between the two members is provided.

Regarding claim 27, Courtot in view of Ziegler results in a swivel wherein one of the members is a lower connection ring (10) and the other member is a cover (5), the cover being connected to a central shaft (14), in relation to which the lower connection ring is journalled (the shaft acts as a journal surface on which 10 rides).

Regarding claim 28, Courtot in view of Ziegler results in a swivel wherein the cover (5) is connected to the central shaft (14) by means of a quick-coupling (16).

Regarding claim 29, Courtot in view of Ziegler results in a swivel wherein the lower connection ring (10) and the cover (5) are provided with a plurality of through connection holes (through which the shaft passes and through which hose ends-6 pass).

Regarding claim 30, Courtot in view of Ziegler results in a swivel wherein the central shaft (14) is arranged on a base plate (the end surface of 10).

Regarding claim 31, Courtot in view of Ziegler results in a swivel wherein the mutual rotation between the two members is limited to no more than one full revolution (paragraph 2 lines 30-35).

Regarding claim 32, Courtot in view of Ziegler results in a swivel wherein said flexible hoses or cables are connected generally axially to the central shaft when the rotatable members are in a non-rotated position.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Courtot and Ziegler as set forth above, and further in view of Sarson (US 4,193,616).

Regarding claim 25, Courtot in view of Ziegler results in a swivel wherein the hoses or cables (8) are connected to the members (5, 10). Courtot fails to disclose the use of a quick connect coupling to connect the hose to the members.

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Sarson teaches the use of a quick connect coupling on a tube end, for the purpose of improving the initial assembly and reducing costs. Accordingly it would have been obvious to one of ordinary skill in the swivel joint art at the time of applicant's invention to modify the arrangement of Courtot to include a quick connect fitting such as that taught by Sarson to improve the initial assembly of the swivel and reduce its cost.

Response to Arguments

Applicant's arguments with respect to claims 22-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment (claim 22 line 2, claim 29 line 2) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Mills whose telephone number is 571-272-8115. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM

DJM
4/13/2006


James R. Brittain
Primary Examiner